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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,977	11/13/2001	Yasushi Nishimura	SN-US000610	6019
22919	7590	10/16/2003	EXAMINER	
SHINJYU GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			LANGDON, EVAN H	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/986,977	Applicant(s) <i>SW</i> NISHIMURA, YASUSHI	
	Examiner Evan H Langdon	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

Claim 1-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 8.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuya in view of Manabe.

Kazuya shows a fishing reel comprising a reel body 2, a handle assembly and a line-winding spool 8, and the reel having a metal membrane 32 formed by a metal plating process on an obverse side of the component body.

Kazuya fails to show a ground film-layer formed by a paint coat and a metal film layer providing a mirror effect and being formed transparently as a layer on the ground film layer side.

Manabe teaches applying a ground film-layer and a metal film layer providing a mirror effect formed as a layer on the ground film layer side as explained in column 3 on lines 14-24, 30-43, 67-68, in column 4 on lines 1-3, and in column 5 on lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fishing reel metal membrane of Kazuya to include a ground film layer

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and a metal film layer providing a mirror effect as suggested by Manabe, to provide protection for the component body with the ground-film layer and, further, an adhesive surface with the ground-film layer for metal film layer that provides a metallic luster and further protection.

In regards to claim 17, the fishing reel of Kazuya as modified by Manabe is a dual bearing fishing reel and the spool 8 is rotatably fitted to the reel body as seen in Figures 1 and 2 (Kazuya).

In regards to claims 18, Kazuya as modified by Manabe teaches the metal film layer formed by metal vapor deposition and contains one of chrome, nickel, zinc, magnesium, aluminum, a stainless steel alloy, and titanium as explained in column 3 on lines 14-24, 30-43, 67-68, in column 4 on lines 1-3, and in column 5 on lines 1-12 (Manabe).

In regards to claim 19, Kazuya as modified by Manabe teaches a protective film layer formed by a clear paint coat on the obverse side of the metal film means in column 3 on lines 14-24, 30-43, 67-68, in column 4 on lines 1-3, and in column 5 on lines 1-12 (Manabe).

In regards to claim 20, Kazuya as modified by Manabe teaches an anodized layer is formed in between the component body and the ground film layer by anodizing as explained in paragraphs 21-23 (Kazuya), and the component body of the reel being formed from at least aluminum or magnesium alloy.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mamoru in view of Manabe.

Mamoru shows a fishing reel comprising a reel body 2, a handle assembly and a line-winding spool 4, and the reel having a metallic skin layer 14 formed by a metal plating process on an obverse side of the component body.

Mamoru fails to show a ground film-layer formed by a paint coat and a metal film layer providing a mirror effect and being formed transparently as a layer on the ground film layer side.

Manabe teaches applying a ground file-layer and a metal film layer providing a mirror effect formed as a layer on the ground film layer side as explained in column 3 on lines 14-24, 30-43, 67-68, in column 4 on lines 1-3, and in column 5 on lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fishing reel metallic skin layer of Mamoru to include a ground file-layer and a metal film layer providing a mirror effect as suggested by Manabe, to provide protection for the component body with the ground-film layer and, further, an adhesive surface with the ground-film layer for metal film layer that provides a metallic luster and further protection.

#### ***Response to Amendment***

Applicant's arguments filed on 23 September 2003 have been fully considered but are not persuasive with respect to claims 15-20.

In regards to the applicant's argument that the Manabe patent teaches away from the semitransparent metal film layer, the Manabe patent clearly states that the thickness of the metal film layer should be greater than 150 angstroms, but less then 500 angstroms to avoid cracking, as explained in column 6, on lines 10-17. This clearly fits the applicant's definition of metallic film having a semitransparent mirroring effect were the specified thickness of the film layer is less then 700 angstroms, specifically 50-600 angstroms, as defined in the specification on page 6, lines 10-17. The teaching of Manabe patent specifying that the film layer be at least 150 angstroms because otherwise the coverage of the metal film is insufficient so that the substrate can be seen through the metal film, raises the question that if the film layer were to be greater

that 150 angstroms, as specified by the range of 50-600 angstrom of the claimed invention, would the film layer be semitransparent?

### ***Conclusion***

This is a request for continued examination of applicant's earlier Application No. 09/986,977. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

ehl

A handwritten signature in cursive script that reads "Kathy Matecki".

KATHY MATECKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600